

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

**MAR 22 2007**

DAVID J. MALAND, CLERK

BY  
DEPUTY \_\_\_\_\_

JONATHAN MORGAN, et al.

Plaintiffs,

v.

THE PLANO INDEPENDENT SCHOOL  
DISTRICT, et al.,

Defendants.

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4:04cv447

**MEMORANDUM ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

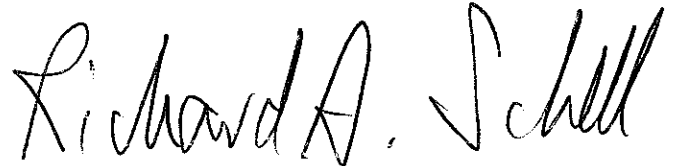
Came on for consideration the above-referenced civil action, this Court having heretofore ordered this case be referred to the United States Magistrate Judge for all pretrial purposes.

The report of the United States Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of "Defendants' Motion to Dismiss Plaintiff Malcolm Wade for Failure to State a Claim" [Doc. No. 37], has been presented for consideration.

The Court, having made a *de novo* review of the objections raised by Plaintiffs and Defendants thereto, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiffs and Defendants are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is, therefore,

**ORDERED** that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court.

**SIGNED** this 22<sup>nd</sup> day of March, 2007.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a large initial "R" and "S".

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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE